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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/696,801	10/30/2003	Amarender Reddy KethiReddy	SLA1376	8126
7590	04/17/2006		EXAMINER	
Gerald W. Maliszewski P.O. Box 270829 San Diego, CA 92198-2829			PYO, MONICA M	
		ART UNIT	PAPER NUMBER	
		2161		

DATE MAILED: 04/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/696,801	KETHIREDDY ET AL.
	Examiner	Art Unit
	Monica M. Pyo	2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 30 October 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-22 is/are pending in the application.
 - 4a) Of the above claim(s) 14-22 is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-13 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 October 2003 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>10/2003</u> .	6) <input type="checkbox"/> Other: _____

DETAILED ACTION

1. Claims 1-23 are present for examination.
2. Claims 14-23 are not examined.
3. Claims 1-13 are examined and rejected.

Election/Restrictions

4. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-13, drawn to a method for receiving, generating, modifying and executing a search query, classified in class 707, subclass 104.1.
 - II. Claims 14-23, drawn to a method for providing a search query comprising an API for receiving a search constraint and a control field identifier, classified in class 707, subclass 102.

Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instance case, invention I has a separate utility such as locating search terms, a search engine having an indexed file database of image files and cross-referencing image files to the search term; invention II has a separate utility such as a user interface having an input to accept user commands, a search term and image file selection from the user interface. See MPEP § 806.05(d).

5. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

6. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
7. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

8. During a telephone conversation with Mr. Gerald Maliszewski on 4/5/2006 a provisional election was made without traverse to prosecute the invention of Group I, claims 1-13. Affirmation of this election must be made by applicant in replying to this office action. Claims 14-23 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Information Disclosure Statement

9. The information disclosure statement (IDS) submitted on 10/30/2003 was filed and considered by the examiner.

Drawings

10. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:
 - From fig. 2, following reference character numbers are not mentioned in the description: image file #300, image file #600, image file 13 and 191.

- Applicant is requested to include reference character numbers in fig. 3 (i.e. number the term "Tennis Racquets")

Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1-3 & 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,199,042 issued to Kurzweil (hereafter Kurzweil) in view of U.S. Patent No. 6,643,641 issued to Snyder et al. (hereafter Snyder).

Claim 1:

Regarding Claim 1, Snyder disclose a method for locating searched terms in an image file received from a search engine, the method comprising (Snyder: col. 7, lns. 23-30):

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- submitting a search term to a search engine having an indexed file database of image files (Snyder: col. 9, lns. 62-67; col. 10, lns. 1-7; col. 11, lns. 1-6; col. 12, lns. 54-58);

- Augmented receiving an indexed file that cross-references image files to the search term (Snyder: col. 11, lns. 1-18; col. 12, lns. 2-24 & 54-58);

Snyder do not explicitly disclose:

- performing an optical character recognition (OCR) operation on a selected image file;

- locating coordinates in the image file corresponding to the search term

- automatically displaying the image file at the coordinates

Kurzweil disclose:

- performing an optical character recognition (OCR) operation on a selected image file (as an "OCR" operation; Kurzweil: col. 3, lns. 9-17);

- locating coordinates in the image file corresponding to the search term (as highlighting key words (Kurzweil: col. 3, lns. 9-17; col. 4, lns. 15-19 & 28-43; fig. 3); and,

- automatically displaying the image file at the coordinates (Kurzweil: col. 4, lns. 15-19 & 28-43; fig. 3A).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the Kurzweil's teaching of opening image file by optical character recognition (OCR) module, and displaying image representation on the monitor in the Synder's teaching of

web searching engine with indexing method to utilize the “OCR” operation and highlight searched key terms when displaying as suggested by Kurzweil (Kurzweil: col. 1, lns. 16-24).

Claim 2:

Regarding Claim 2, Snyder and Kurzweil disclose the method wherein automatically displaying the image file at the coordinates includes displaying the search term located at the image file coordinates (Kurzweil: col. 3, lns. 9-17; col. 4, lns. 15-19 & 28-43; figs. 3A & 3B).

Claim 3:

Regarding Claim 3, Snyder and Kurzweil disclose the method wherein displaying the search term located at the image file coordinates includes highlighting the displayed search term located at the image file coordinates (Kurzweil: col. 3, lns. 9-17; col. 4, lns. 15-19 & 28-43; figs. 3A & 3B).

Claim 5:

Regarding Claim 5, Snyder and Kurzweil disclose the method wherein submitting a search term includes submitting a text search term (Snyder: col. 12, lns. 34-41 & 54-58).

Claim 6:

Regarding Claim 6, Snyder and Kurzweil disclose the method wherein submitting a search term includes submitting a search term selected from the group including keywords, ASCII symbols, word patterns, and data patterns (Snyder: col. 11, lns. 40-50; col. 12, lns. 33-37 & 54-58; col. 13, lns. 32-43).

Claim 7:

Regarding Claim 7, Snyder and Kurzweil disclose the method further comprising:

- accepting a search term at a user interface (UI) (Snyder: col. 7, lns. 65-67; col. 13, lns. 32-39; figs. 1 & 3) & ; and,
- wherein submitting a search term to a search engine includes submitting the search term, accepted at the UI, from a main application (Snyder: col. 7, lns. 23-30 & 65-67; fig. 1)

Claim 8:

Regarding Claim 8, Snyder and Kurzweil disclose the method further comprising:

- in response to receiving an indexed file cross-referencing image files to the search term, selecting an image file at the UI (Snyder: col. 12, lns. 8-24) & (Kurzweil: col. 3, lns. 40-67);
- opening a viewer application (Snyder: col. 9, lns. 20-23) & (Kurzweil: col. 3, lns. 3-8);
- in response to opening the viewer application, launching an OCR engine (Kurzweil: col. 3, lns. 9-18); and,
- wherein performing an OCR operation on the image file includes performing an OCR operation on the selected image file in response to launching the OCR engine (Kurzweil: col. 3, lns. 19-25 & 40-52).

Claim 9:

Regarding Claim 9, Snyder and Kurzweil disclose the method wherein locating coordinates in the image file corresponding to the search term includes the OCR engine supplying the coordinates to the viewer application (Kurzweil: col. 3, lns. 3-17).

Claim 10:

Regarding Claim 10, Snyder and Kurzweil disclose the method wherein automatically displaying the image file at the coordinates includes the viewer application highlighting the text at the coordinates supplied by the OCR engine (Snyder: col. 12, lns. 8-28) & (Kurzweil: col. 4, lns. 15-19 & 28-43; fig. 3A).

Claim 11:

Regarding Claim 11, Snyder and Kurzweil disclose the method wherein receiving an indexed file cross-referencing image files to the search term includes receiving a plurality of image file references (Snyder: col. 12, lns. 8-24); and, wherein selecting an image file includes selecting an image file from among the plurality of received image file references (Snyder: col. 12, lns. 25-33 & 57-64).

Claim 12:

Regarding Claim 12, Snyder and Kurzweil disclose the method wherein opening a viewer application includes opening a viewer application, selected from a plurality of viewer applications, in response to the format of the selected image file (Snyder: col. 9, lns. 16-23; col. 12, lns. 57-64).

13. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurzweil in view of Snyder, and further in view of U.S. Patent Application Publication No. 2004/0243626 by Wyle et al. (hereafter Wyle).

Claim 4:

Regarding Claim 4, Snyder and Kurzweil disclose the method wherein performing an OCR operation on the image file includes performing an OCR operation on an image file in

Synder and Kurzweil do not explicitly disclose: a format selected from the group including tagged image file format (TIFF) and portable document (PDF) formats.

However, Wyle disclose: a format selected from the group including tagged image file format (TIFF) and portable document (PDF) formats (Wyle: pgs. 2-3, [0023]).

It would have been obvious to a person with ordinary skill in the art at the time of invention to combine the document formats of Wyle into the reading system of Kurzweil and the search engine with indexing web page contents of Snyder. Skilled artisan would have been motivated to incorporate the Wyle's teaching of utilizing different types of document formats in the Kurzweil's teaching of using the "OCR" operation and reading text from the image file and in the Synder's teaching of web searching engine with indexing method to utilize various of document formats as suggested by Wyle (Wyle: pgs. 2-3, [0023]).

14. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kurzweil in view of Snyder, and further in view of U.S. Patent No. 6,889,256 by Palevich et al. (hereafter Palevich).

Claim 13:

Regarding Claim 13, Snyder and Kurzweil disclose the method wherein locating coordinates in the image file corresponding to the search term (Kurzweil: col. 3, lns. 9-17).

Synder and Kurzweil do not explicitly disclose: includes locating a sequence of bytes in the image file.

However, Palevich disclose: includes locating a sequence of bytes in the image file (Palevich: col. 10, lns. 13-21).

It would have been obvious to a person with ordinary skill in the art at the time of invention to apply the Palevich's teaching of retrieving a sequence of bytes from the image file to Snyder's system and Kurzweil's system in order to utilize data stored in one or more compressed image files as suggested by Palevich (Palevich: see Abstract).

Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica M. Pyo whose telephone number is 571-272-8192. The examiner can normally be reached on Mon-Fri 6:30 - 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Monica M Pyo
Examiner
Art Unit 2161

4/10/06



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